

Remarks

Applicant thanks the Examiner for the courtesy extended to Applicant's representative in a personal interview on 20 February 2003. The amendments presented herewith are consistent with the proposed amendments discussed during that interview.

Claims 1-7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,072,227 ("Yau"). Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as be obvious based on the teachings of Yau in view of U.S. Patent 5,869,379 ("Gardner").

Applicant has amended Claim 1 to recite a single insulating layer between conductive elements "without other intervening materials". Applicant has amended Claim 5 to recite a gap between the first and second conductive elements, wherein a *single* insulating layer fills the gap. Applicant respectfully submits that these claims are distinct from the structure Yau teaches. Specifically, contrary to Claim 1, Yau teaches that the gap between the conductive elements (306, 308) is separated by intervening materials (the plasma enhanced chemical vapor deposition ("PECVD") gap fill layer (302)). See Yau, Figure 6B and column 11, lines 32-42. Likewise, contrary to Claim 5, Yau teaches that the gap between the conductive elements (306, 308) is separated by an insulating layer (300) *and* a separate and distinct PECVD gap fill layer (302). *Id.* Thus, Applicant respectfully submits that Claims 1 and 5 are allowable over Yau.

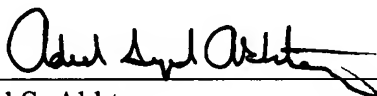
The structure recited in Claims 1 and 5 as amended is not taught by Gardner either. Because Claims 8-10 depend from Claim 5, Applicant respectfully submits that Claims 8-10 are allowable for the same reasons explained above.

In view of the foregoing amendments, the Applicants submit that this application is in condition for allowance, and respectfully request the same. If, however, some issue remains that the Examiner feels can be addressed by an Examiner's Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

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